
By: **Delegates Hixson, Bozman, C. Davis, Healey, Howard, Marriott, and
Patterson**

Introduced and read first time: January 26, 2004

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2004

CHAPTER _____

1 AN ACT concerning

2 **Maryland Transportation Authority - Transportation Facilities Projects -**
3 **Tolls**

4 FOR the purpose of requiring the Maryland Transportation Authority to provide
5 certain information to certain committees of the General Assembly in a certain
6 manner ~~and by a certain time~~ prior to fixing or revising tolls on any
7 transportation facilities project; ~~prohibiting the Authority from establishing and~~
8 ~~fixing tolls on any new transportation facilities project without the approval of~~
9 ~~the Board of Public Works~~; and generally relating to toll charges authorized by
10 the Maryland Transportation Authority.

11 BY repealing and reenacting, without amendments,
12 Article - Transportation
13 Section 4-101(a) and (i)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 4-312
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2003 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Transportation**

2 4-101.

3 (a) In this title the following words have the meanings indicated.

4 (i) "Transportation facilities project" includes:

5 (1) The Susquehanna River Bridge, the Harry W. Nice Memorial
6 Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay
7 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the
8 Francis Scott Key Bridge, and the John F. Kennedy Memorial Highway, together with
9 their appurtenant causeways, approaches, interchanges, entrance plazas, toll
10 stations, and service facilities;

11 (2) A vehicle parking facility located in a priority funding area as defined
12 in § 5-7B-02 of the State Finance and Procurement Article;

13 (3) Any other project for transportation facilities that the Authority
14 authorizes to be acquired or constructed; and

15 (4) Any additions, improvements, or enlargements to any of these
16 projects, whenever authorized.

17 4-312.

18 (a) (1) Notwithstanding the provisions of § 20 of Section 3 and § 16 of
19 Section 4 of Chapter 608 of the Acts of the General Assembly of 1976, tolls may be
20 continued to be charged on the John F. Kennedy Expressway and any project
21 constructed under the provisions of § 3 (bridge, tunnel, and motorway revenue bonds)
22 of Chapter 608 of the Acts of the General Assembly of 1976.

23 (2) As to all or any part of any transportation facilities project, the
24 Authority may:

25 (i) Fix, revise, charge, and collect rentals, rates, fees, tolls, and
26 other charges and revenues for its use or for its services; and

27 (ii) Contract with any person who desires its use for any purpose
28 and fix the terms, conditions, rentals, rates, fees, tolls, or other charges or revenues
29 for this use.

30 (b) The rentals, rates, fees, tolls, and other charges and revenues designated
31 as security for any bonds issued under this subtitle shall be fixed and adjusted from
32 time to time, either with respect to a particular transportation facilities project or in
33 respect of the aggregate of the charges and revenues from other transportation
34 facilities projects under the control of the Authority, as may be specified by law or in
35 any applicable resolution or trust agreement, so as to provide funds that, together
36 with any other available revenues, are sufficient as long as the bonds are outstanding
37 and unpaid to:

1 (1) Pay the costs of maintaining, repairing, and operating the
2 transportation facilities project or projects financed in whole or in part by one or more
3 series of outstanding and unpaid bonds, to the extent that payment is not otherwise
4 provided;

5 (2) Pay the principal of and the interest on these bonds as they become
6 due and payable;

7 (3) Create reasonable reserves that are anticipated will be needed for
8 these purposes; and

9 (4) Provide funds for paying the cost of replacements, renewals, and
10 improvements.

11 (c) (1) Except as otherwise provided in this subsection, the rentals, rates,
12 fees, tolls, and other charges and revenues are not subject to supervision or regulation
13 by any instrumentality, agency, or unit of this State or any of its political subdivisions.

14 (2) This subtitle does not permit the exercise of any power or the
15 undertaking of any activity that would conflict with the provisions and limitations of
16 the federal Urban Mass Transportation Act of 1964.

17 (3) Tolls for the use of the bridge carrying the John F. Kennedy Memorial
18 Highway over the Susquehanna River may not be less than the comparable tolls
19 charged for the use of the Susquehanna River Bridge.

20 (4) ~~AT LEAST 60 DAYS BEFORE~~ PRIOR TO FIXING OR REVISING TOLLS ON
21 ANY PART OF ANY TRANSPORTATION FACILITIES PROJECT, THE AUTHORITY SHALL
22 PROVIDE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO
23 THE SENATE BUDGET AND TAXATION COMMITTEE, SENATE FINANCE COMMITTEE,
24 HOUSE APPROPRIATIONS COMMITTEE, AND HOUSE WAYS AND MEANS COMMITTEE
25 INFORMATION ON THE PROPOSED TOLL CHARGES, INCLUDING:

26 (I) THE ANNUAL REVENUES GENERATED BY THE TOLL CHARGES;

27 (II) THE PROPOSED USE OF THE REVENUES; AND

28 (III) THE PROPOSED COMMUTER DISCOUNT RATES.

29 (5) ~~NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE~~
30 ~~AUTHORITY MAY NOT ESTABLISH AND FIX TOLLS ON ANY PART OF A NEW~~
31 ~~TRANSPORTATION FACILITIES PROJECT WITHOUT THE APPROVAL OF THE BOARD OF~~
32 ~~PUBLIC WORKS.~~

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2004.

